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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,411	07/11/2003	Hwa Liang Ng	STL11012.00	5543

7590 05/16/2006
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EXAMINER

ROSENBERGER, RICHARD A

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/618,411	Applicant(s) NG ET AL.	
	Examiner Richard A. Rosenberger	Art Unit 2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoi et al (US 4,132,112).

As to claims 1, 12 and 22, the reference teaches placing a film between two contacting surfaces; an example in the reference is two calendar rolls, (column 13, lines 22-25), which provide compressive force to generate a pressure pattern, removing the film (column 13, lines 26-27), and sensing an optical property of the of the film to derive a sensed pressure pattern (column 13, lines 27-30). The thus-measured pressure pattern can be used to adjust the device providing the pressure (column 13, lines 42-46).

Although the reference does not specifically state that the pressure can be adjusted in a device in which the pressure adjusted by "a stored setting" in a computer which adjusts the pressure by, it would have been obvious to use the general technique of the reference with any type of device in which pressure needs to be measured and adjusted; the manner in which the pressure is adjusted is of no particular relevance to the general method of measuring using such a film and a sensor such as a densitometer, and using the sensed pressure pattern to adjust the device. The use of a computer to automate the process would have been obvious; as set forth in the MPEP, "merely using a computer

to automate a known process does not by itself impart nonobviousness to the invention” (see MPEP 2105 section VI, and the cases set forth therein to support this observation).

As in claim 2, 13 and 25, the reference teaches the pattern can be sensed by a densitometer (column 13, line 28).

As in claims 3 and 14; the thickness of the film could be chosen to be appropriate for the particular application at hand. The reference notes that the thicknesses of the various parts of the film can be as small as on order of tens of microns; the support can be as thin and about 10 microns (column 6, lines 37-38), the protective layer as thin a 5 microns (column 9, lines 26-27), with the microparticles in the recording layer being as small as less than 1 micron (as small as 0.1 micron in claims 4 and 11, and 0.5 microns in claims 5 and 12 of the reference). Thus the instant claimed less than 120 micrometers is well within the thickness range taught as possible for the layer in the reference.

Claims 4-11, 15-21 and 23-24 set forth different possible uses for the instant disclosed method and apparatus. The reference presents the arrangement therein as a general purpose system (see column 1, lines 16-38) for a statement of the context of the invention, including a list of many various uses for pressure measurement; including "checking of the effective limit and the state of effectiveness of gasket seals" (column 1, lines 26-28). This at least suggests that the pressure measurement of the reference can be used in such a variety of systems. It would have been obvious to use such a pressure sensitive film and densitometer arrangement to measure, and correct as needed, the pressure in any system in which the film can reasonably be placed and removed to determine the pressure distribution.

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3. As noted in the previous office action, it appears that the film itself is a commercially available product (see, for example, page 7, lines 17-19 of the specification of this application), which apparently includes commercially available films in the claimed "less than 120 micrometers" range of instant claims 3 and 14. It is noted that this observation has not been challenged.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard A Rosenberger whose telephone number is (571) 272-2428. The examiner can normally be reached on Monday through Friday during the hours of 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

R. A. Rosenberger
11 May 2006



Richard A. Rosenberger
Primary Examiner